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MASTER OF MILITARY STUDIES

*Piracy in Southeast Asia: A Growing Threat to the United States' Vital
Strategic and Commercial Interests*

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EXECUTIVE SUMMARY

Title: Piracy in Southeast Asia - A Growing Threat to the United States' Vital Strategic and Commercial Interests

Author: Mr. Gregory S. Davis (GG-12)

Thesis: Maritime piracy in Southeast Asia is one of the most dangerous threats to maritime commerce in the world, and this threat is growing driven by the economic downturn of Southeast Asia, lucrative maritime targets of opportunity, a growing drug trade, China's attempts to exert sovereignty over the South China Sea, and new ominous link between the Osama Bin Ladin's Al-Qa'ida terrorist organization and Islamic fundamentalists in the southern Philippines and Indonesia.

Discussion: Southeast Asia has been a breeding ground and haven for maritime piracy for over a thousand years due to the geography of the area. Piracy flourishes in this region due to several key ingredients: Lucrative shipping targets and a known area these ships must transit, numerous places to hide, state-of-the-art camouflage, an understanding of the use of denial and deception, and numerous places to sell one's stolen goods. When one adds to this region a depressed economy, a flourishing drug trade, Islamic fundamentalism, Chinese government sponsored piracy, and a newly discovered linkage between Osama Bin Ladin's Al-Qa'ida terrorist organization and Islamic fundamentalists in the region, one can understand why the number of attacks in this region of the world is rising and becoming more dangerous.

Conclusion: The United States and its Allied partners must increase their naval presence in this part of the world in order to challenge the growing threat from pirates and terrorists. Post September eleventh, the number of piracy attacks and seizures of maritime shipping in this region of the world is going to increase, as Islamic fundamentalist groups in the Philippines and Indonesia, network into the global Islamic movement, gain access to greater financing, better training, state-of-the-art camouflage and denial and deception techniques, and advanced weapons. Additionally, in an ominous change from the past, terrorists are likely to seize vessels and cargo not for the profit they may yield, but rather as floating suicide bombs, lurking for unsuspecting ports, naval vessels, coastal cities, nuclear facilities, and other American targets of opportunity, in order to bring jihad to America's shores.

Table of Contents

I.	Introduction.....	pp.5-6
II.	Defining Piracy.....	pp.7-8
III.	Maritime Piracy in Southeast Asia.....	pp.9-12
IV.	Environmental Dangers.....	pp.13
V.	Geographic Distribution of Maritime Attacks.....	pp.14-15
VI.	Chinese State Sponsorship of Piracy.....	pp.16-17
VII.	Piracy and Political Terrorism.....	pp.18-23
VIII.	Factors that Increase the Likelihood for Future Terrorism in Southeast Asia.....	pp.24-25
IX.	Al-Qa'ida, Abu Sayyaf, and the Growing Islamic Fundamentalist Piracy Threat in Southeast Asian Waters.....	pp.26-30
X.	State-of-the-art Camouflage and the Barracuda Corporation.....	pp.31-34
XI.	Conclusion.....	pp.36-36
XII.	Bibliography.....	pp.37-38



Figure 1. Southeast Asia. Piracy Area of Operations.

I. INTRODUCTION

When one speaks of piracy these days, many will think of computers, software piracy or something related to the internet. The piracy to be discussed in the following pages is the type that has been around for over a thousand years, ever since an individual or group attempted to steal something from someone else on a vessel, on the high seas, or in port. Most people believe that maritime piracy is a thing of the past. On the contrary, it has always been with us and always will be as long as we use the oceans as a means of commerce and trade.

The International Maritime Organization (IMO) issues monthly and quarterly reports of piracy and armed robbery incidents both at sea and in port. The alarming trend is that the

incidents are increasing and that the most deadly and numerous attacks are occurring in Southeast Asia. In November 1998, the sixty-ninth United Nations General Assembly, in its Oceans and Law of the Sea Resolution, called on all countries to take the necessary action to prevent and combat piracy and armed robbery at sea.¹ The challenge all countries face is that there is a tendency for attacks to go unreported as the victims don't want to be known for being a good target, or for their insurance rates to go up. Additionally, piracy reports are bad for business.

The purpose of this paper is to first define what piracy is, and then look at the challenges we face as a nation and global community in protecting the global economy from maritime piracy in Southeast Asia.

¹ Jack A. Gottschalk, Brian P. Flanagan, Jolly Roger with an Uzi, The Rise and Threat of Modern Piracy, (Annapolis: Naval Institute Press, 2000). ix.

II. DEFINING PIRACY

Piracy has been described as a crime against nations or an international crime, yet the internationally accepted definition of piracy limits itself to crimes against private individuals and private property (including vessels and aircraft).

Although piracy in the most traditional form had its Golden Age during the seventeenth and early eighteenth centuries, piracy was not actually defined as a crime by international treaty until 1958. As a result of the formal definition, the 1958 Geneva Convention on the High Seas, Article 15, sets forth the following definition:

Piracy consists of any of the following acts:

(1.) Any illegal acts of violence, terrorism, or any act of depredation committed for private ends by the crew or the passengers of a private ship or private aircraft, and directed at:

- a. On the high seas, against the ship or aircraft, or against persons or property on board such ship or aircraft;
- b. Against a ship, aircraft, persons, or property in a place outside the jurisdiction of any State;

(2.) Any act of voluntary participation in the operation of a ship or of an aircraft with knowledge of facts making it a pirate ship or aircraft;

(3.) Any act of inciting or intentionally facilitating an act described in Paragraph 1 above or Subparagraph 2 of this article.²

The interesting detail of this official definition is that piracy can only occur on the high seas beyond the jurisdiction of any nation. In other words, seizing a vessel within a nation's territorial waters is technically not piracy, and therefore, one nation may not

² Jack A. Gottschalk, Brian P. Flanagan, Jolly Roger with an Uzi, The Rise and Threat of Modern Piracy, (Annapolis: Naval Institute Press, 2000). P.32.

send its law enforcement personnel into the territorial waters of another nation in order to enforce international law. However, nations also have jurisdiction over vessels that are registered under their laws, or, fly their flag. Thus, if an incident occurs on a vessel that is flagged under U.S. law, the United States has the authority to enforce its laws aboard that vessel or otherwise prosecute individuals for crimes that occur aboard it regardless of the ship's location at the time of the incident. The vessel is considered U.S. territory.³

The importance of understanding the definition of piracy is clear when one looks at terrorist actions at sea. When a terrorist commits a crime aboard a foreign flagged vessel like the *Achille Lauro*, the attack is considered to fall under Italian law jurisdiction, even though the victim was American. In the case of the *Achille Lauro*, the hijackers eventually made their way into Egypt. When the Egyptian government refused to try them or even detain them, they were released to fly out of the country where they were immediately intercepted by U.S. warplanes and forced to land in Italy.

Despite the fact that the U.S. government issued arrest warrants for the hijackers, the Italian government refused to extradite the Palestinians as the Palestinians were under Italian jurisdiction when they committed the murder because the *Achille Lauro* was an Italian flagged vessel.

It is important to understand this distinction as there are times when U.S. laws apply and times when they don't, especially when dealing with international terrorists and/or piracy at sea.

³ Jack A. Gottschalk, Brian P. Flanagan, Jolly Roger with an Uzi, The Rise and Threat of Modern Piracy, (Annapolis: Naval Institute Press, 2000). P.34.

III. MARITIME PIRACY IN SOUTHEAST ASIA

Maritime piracy has been part of life in Southeast Asia for hundreds of years and is known for the most successful pirate in history, the female Chinese pirate Cheng I Sao, whose fleet of over five hundred ships and seventy-thousand men held total control of the South China Sea in the first decade of the nineteenth century.⁴ Cheng's forces would go into action with several hundred vessels and up to two thousand pirates at one time. At the height of her power, Cheng's confederation of pirates was larger than the combined navies of several countries. She controlled some two-hundred ocean going junks, each armed with twenty to thirty cannon and able to carry up to four-hundred pirates, in addition to between six and eight hundred coastal vessels armed with twelve to twenty-five guns and carrying two hundred men.⁵ Woe to the local community that failed to pay its protection money.

The Buddhist monk Shih Fa-Hsien wrote of pirate attacks in the Malacca Straits as early as AD 414, yet more recently during the 1970s, attacks against the Vietnamese boat people attempting to flee South Vietnam and the Communists are documented.

Contemporary maritime piracy in Southeast Asia can be divided into three categories:

- (1.) Harbor and anchorage theft/attacks – a form of piracy that has been encouraged by the relatively relaxed security procedures of many small and larger ports in the region. Attacks of this kind have been especially prevalent in and around Indonesia. Of the 17 substantial incidents of piracy that were reported in Jakarta's territorial waters during the first half of 1995, 16 were against ships either already in port, or awaiting pilot-assisted entry to dock in the outer sea channels. The International Maritime Bureau (IMB) defines these types of

⁴ Joan Druett, She Captains, Heroines and Hellions of the Sea, (New York: Simon & Schuster, 2000), p.55.

⁵ David Cordingly, Under the Black Flag. The Romance and Reality of Life Among the Pirates, (San Diego: Harvest Books, 1995),p.77.

assault as *Low-Level Armed Robbery (LLAR)* – an opportunist attack on a ship, mounted close to land by small high speed craft, crewed by criminal maritime muggers normally armed with knives. Their targets are usually cash and portable personal items of high value with an average theft of between (U.S.) \$5,000 and \$15,000.⁶

- (2.) Ransacking and robbery of vessels on the high seas or in territorial waters - a more common form of piracy and one that if carried out in narrow sea-lanes, has the potential to seriously disrupt maritime navigation. This is especially true in cases where vessels are out of control because the crew has been detained or locked-up. The IMB defines these types of assaults as Medium Level Armed Assault and Robbery (MLAAR) – violent attacks of robbery involving serious injury or murder by well organized gangs, usually heavily armed and working from a “mother ship.”⁷
- (3.) Hijacking of vessels to convert them for the purposes of illegal trading – the so-called *phantom ship* phenomenon. This type of piracy follows a typical pattern. Vessels are first seized with their cargoes and then off-loaded into lighters at sea (such merchandise either being kept by the pirates themselves or sold off to private bidders). The ships are then fraudulently re-registered and issued with false documents to enable them to take on board a fresh payload. The new cargo is never delivered to its intended destination, but transferred to another vessel and taken to an alternate port where it is sold to a pre-arranged buyer, who is more often than not a willing participant in the entire venture. The IMB defines these types of assaults as a Major Criminal Hijack (MCH) – well-resourced and planned international criminal activity, using large gangs of highly trained and heavily armed operatives fully prepared to use firearms. The IMB estimates that on the basis of current trends, this form of piracy could soon create economic problems comparable to those caused by the Italian mafia. Already the practice is believed to be costing more than U.S. \$200 million dollars per year in stolen cargoes.⁸

Since the end of the Cold War, the reported number of attacks against shipping in Southeast Asian waters have risen. Between 1992 and 1996, there were 404 separate attacks, making Southeast Asia the most dangerous region in the world. Furthermore, the actual number of attacks is likely far higher than the reported numbers as the Regional

⁶ Peter Chalk, Low Intensity Conflict in Southeast Asia: Piracy, Drug Trafficking and Political Terrorism, (Brisbane: 1998), p.3.

⁷ Peter Chalk, Low Intensity Conflict in Southeast Asia: Piracy, Drug Trafficking and Political Terrorism, (Brisbane: 1998), p.3.

⁸ Andrew Duncan, Trouble Spots. The World Atlas of Strategic Information, (Gloucestershire: Sutton Publishing, 2000), p.17.

Piracy Center (RPC) believes only about half of all attacks are reported. The RPC in Kuala Lumpur believes that low reporting is a result of the high costs associated with reporting a pirate attack. Once an attack is reported, shipping delays follow, which can result in losses up to U.S. \$25,000 dollars a day in lost revenues while the ship is delayed in port. As discussed previously, insurance premiums are also likely to be raised, resulting in more lost revenues.

Table 1. Reported piracy incidents in Southeast Asia.

YEAR	NUMBER OF REPORTED ATTACKS	PERCENTAGE OF GLOBAL TOTAL
1989	3	N/A
1990	60	N/A
1991	102	95
1992	69	65
1993	75	73
1994	62	69
1995	99	58
1996	99	57
1997 (January – June)	38	48

Source: IMB Regional Piracy Center, Kuala Lumpur.⁹

In many cases it is written into shipping association manuals specifically not to report pirate attacks to law enforcement for fear of the additional lost revenues. For example, in 1993, in Philippine waters, there were 143 attacks resulting in the loss of 30 lives that were never reported to the Regional Piracy Center.¹⁰

In addition to the increasing number of pirate attacks in Southeast Asia, the

⁹ Peter Chalk, Low Intensity Conflict in Southeast Asia: Piracy, Drug Trafficking and Political Terrorism, (Brisbane: 1998), p.4.

¹⁰ Ibid., p.5.

lethality of pirate attacks is on the rise as well. In the first six months of 1997, the RPC had already documented a total of 211 violent acts that had occurred in just 38 assaults. In this number were included 181 cases of hostage-taking and intimidation; three assaults; 19 injuries and seven deaths. NUMAST, a United Kingdom trade union that represents 20,000 masters, officers, and cadets, maintains that well over 25 per cent of pirate incidents recorded between 1990 and 1992 involved violence, including torture and murder. In notable testimony given in February 1996, the one surviving member of a Philippine registered fishing trawler, the *MN3 Normina*, described how he and his nine crew mates were rounded-up and shot (he was only wounded in the back of the head but the others were killed) simply for the cargo of their ship – a few tons of fish.¹¹

There are some trends appearing in the data regarding attacks on shipping in Southeast Asia. The attacks are usually carried out at night and the number of attackers is relatively small, averaging 7.32. Usually the target of the attack is personal items, the master's safe, and cash. The attacks occurring while the ship is underway have remained consistently high and the technique used is to board the ship via the stern, which has also yielded a high success rate.¹²

¹¹ Ibid., p.5.

¹² Mark Farley, Piracy 2000, Combat Craft Issue #5, (Boston: Richard McClellan), p.22.

IV. ENVIRONMENTAL DANGERS

Acts of piracy have the potential of destroying entire ecosystems within a thousand square miles. If a heavily laden oil tanker were to be attacked in the crowded sea-lanes of the Malacca Straits, the destruction would be catastrophic both economically and environmentally. There have been several *near misses* in the straits already. In September 1992, the supertanker *Nagasaki Spirit* and container ship, *Ocean Blessing*, collided at the northern end of the strait. The *Ocean Blessing* was thought to have been under pirate attack at the time of the collision, resulting in the loss of all aboard. Fortunately, only 13,000 tons of oil spilled from the *Nagasaki Spirit*, and the oil quickly dissipated due to favorable weather conditions.¹³

The Phillip Channel, which runs from Indonesia to Singapore, is one of the most crowded waterways in the world. Some estimates suggest that a major oil spill on the magnitude of the *Exxon Valdez*, would result in the closure of port operations in Singapore, as well as severely disrupting the economies of Singapore, Malaysia, and Indonesia, which rely heavily on the fishing areas that would be impacted by a spill of this magnitude.

¹³ Jack A. Gottschalk, Brian P. Flanagan, Jolly Roger with an Uzi, The Rise and Threat of Modern Piracy, (Annapolis: Naval Institute Press, 2000). P.114.

V. GEOGRAPHIC DISTRIBUTION OF MARITIME ATTACKS

Between 1990 and 1992, the International Maritime Bureau (IMB) identified the waters between the Malacca and Singapore Straits as the most dangerous for piracy attacks both regionally and internationally. The waterway is typically crowded with conventional cargo vessels, container ships and tankers, with the Malacca Strait having as many as 150 to 500 ships a day passing through it. Making the straits even more prone to pirate attacks are the conditions of the straits themselves. Often covered in tropical thunderstorms, marked by numerous sand banks, shallow points, and shipwrecks, as well as being only 1.3 km wide at its narrowest point, all ships must reduce speed. It is at this reduced speed, sometimes below 10 knots, that pirates are able to quickly pounce on an intended target. Many small craft, capable of speeds up to 18 knots, can quickly close the distance on a target vessel. During this time period, nearly half of all attacks occurred in this southern vicinity of the Malacca and Singapore Straits, at the narrows, in the vicinity of Bintan Island.

However, between 1993 and 1995, there was a significant shift in the location of pirate attacks away from the Malacca and Singapore Straits and towards three distinct regions: the South China Sea; the territorial waters around Hong Kong and Macao; and an extended zone bounded by Hong Kong, Luzon (the Philippines) and Hainan Island (China) – the so-called HLH *terror triangle*. A total of 122 separate reported attacks occurred in these three areas, representing over half of all reported attacks in all of Southeast Asia.¹⁴

¹⁴ Peter Chalk, Low Intensity Conflict in Southeast Asia: Piracy, Drug Trafficking and Political Terrorism, (Brisbane: 1998), p.7.

There have been two explanations put forward for the shift in piracy eastward. The first is that China is in complicity with smugglers as a way of forcibly asserting its sovereignty over the South China Sea and the mineral rich Spratly Islands. The second is the effectiveness of a joint Indonesia-Malaysia-Singapore anti-piracy patrol policy that was initiated as a response to calls for more protection of the Malacca and Singapore Straits.

VI. CHINESE STATE SPONSORSHIP OF PIRACY

There are many who believe that China is behind many of the pirate attacks in the so-called terror triangle. The belief is that China is involved in a deliberate exercise of extra-territorial sovereignty by having its own troops, often in uniform, seize shipping in international waters as a pretext that these ships are smugglers. The accusations are based on the theory that China is seeking to fill the post-Cold War vacuum left by the U.S. and former Soviet Union navies that once patrolled the region. The International Maritime Organization (IMO), the International Maritime Bureau (IMB), and the vast majority of shipping associations that operate in Southeast Asia are convinced of direct involvement by the Beijing Government in the seizing of ships.¹⁵

Most of the ship interdictions in the South China Sea (HLH) *terror triangle* fall into two categories: (1) those taking place along the coastal trading route and (2) those occurring far out to sea.

The nation that has born the brunt of the seizures close to shore has been Vietnam. According to Chinese officials, vessel interdictions off the coast of China are being conducted as part of a campaign to stem the flow of luxury goods illegally entering the mainland. In 1987, customs duties on goods such as air conditioners, electronic equipment, and automobiles were doubled to 100%. As a result, many shipowners, attracted by the prospect of huge profits and limited risk, began to make *unscheduled* stops along the Chinese coast to unload *excess* cargo. Local authorities were deeply involved in the smuggling.¹⁶

¹⁵ Ibid.p.8.

¹⁶ Christopher Cobb, Interdiction or Piracy, Combat Craft Issue #5 (Boston: Richard McClellan),p.7.

In 1992, the Chinese government instituted a new policy of payments up to 50% of all seized contraband. This law had an immediate effect on smuggling. Instead of assisting the smugglers, the local authorities could make more money by enforcing the law. Contraband ships that had once been assisted were being seized by their former business associates in government. Enforcing the law became so profitable that some military units began to impound shipping in international waters.

China's seizure of shipping in the HLH *terror triangle* is based less on seizing illegal contraband, than it is on exercising control over both the Paracel Islands and Spratly Archipelago. Both of these island chains are relatively obscure. The Paracel Islands are made up of eleven coral formations 175 nautical miles southeast of Hainan Island, while the Spratly Archipelago is comprised of 127 coral atolls, cays, and sand spits 550 nautical miles further south. China wants to claim these islands because they lie above vast deposits of oil, natural gas, and other strategic resources.

By simply using anti-smuggling activities as a tool to control the South China Sea, China boards and inspects vessels in this region and reinforces her claims to sovereignty and regional control of this strategic area.¹⁷

¹⁷ Ibid. p.8.

VII. PIRACY AND POLITICAL TERRORISM

Political terrorism is not new to Southeast Asia, and the use of piracy as a means of terror cannot be discounted. Even during the Cold War, the threats posed by local insurgencies posed a more significant threat than anything resembling an East –West confrontation.

Insurgencies in Southeast Asia used terrorist tactics for four primary reasons:¹⁸

- (1.) Terrorism is an inexpensive method of warfare, which can achieve relatively effective results, giving it a low cost/high yield potential.
- (2.) By utilizing the psychology of fear, terrorism can artificially inflate the perceived strength and power projection of a group among a wide number of people.
- (3.) By involving acts that are designed to attract maximum publicity, terrorism can project even the most far-flung group (and their cause) to the forefront of regional, national, or even global attention.
- (4.) Terrorist acts involve comparatively little personal risk to the perpetrators, and far less than more conventional forms of organized violence.

In Southeast Asia, the two primary groups involved in terrorist activities were communist organizations and religious/ethnic minorities.

Communist groups still active in Southeast Asia include the New People's Army (NPA) in the Philippines, the Communist Party of Burma (CPB), the Communist Party of Thailand (CPT), the Khmer Rouge (KR) of Cambodia, and the Communist Party of Malaya (CPM).

Armed separatist movements of indigenous ethnic or religious minorities include the Organisasi Papua Merdeka (OPM), the Moro National Liberation Front (MNLF), and the Karen National Liberation Army (KNLA). These groups arose in reaction to the

¹⁸ Peter Chalk, Low Intensity Conflict in Southeast Asia: Piracy, Drug Trafficking and Political Terrorism, (Brisbane: 1998), p.14.

unwillingness of Southeast Asian governments to acknowledge the right of post-colonial self-determination.¹⁹

With the collapse of the Soviet Union, communist groups have waned in Southeast Asia. Those that remain have sought to work within their respective government rather than outwardly opposing them. Unfortunately, groups with religious and ethnic issues have come to the forefront. Different groups have different levels of unrest, but this unrest is being flamed by religious groups from outside their nation's borders.

In Thailand, the PULO Muslim separatist group is waging a campaign in the southern regions of the country, and Islamic fundamentalism is spreading to other regions.

In Indonesia, the National Liberation Front (*Aceh Sumatra*), East Timor (Fretelin), and Irian Jaya (OPM) all continue to fight for increased autonomy from Jakarta. Acts of government brutality merely antagonize or radicalize the average citizen by attempting to repress protests and legitimate rallies. Making matters worse is the fact that many within Indonesia's Islamic majority have been influenced by the actions of Osama Bin Laden and have volunteered to fight for his cause. The important point is that Al Queda and Osama Bin Laden's organization has cells within Indonesia that can be used to foment unrest within the country. Whether these cells can be activated for use in maritime piracy is unknown, but the potential for a major terrorist act of piracy within the region cannot be discounted.

In the Philippines, the Moro Islamic Liberation Front (MILF), the Moro Islamic

¹⁹ Ibid.,p.15.

Liberation Organization (MILO), and the Abu Sayyaf Group (ASG) remain locked in a bitter religious –separatist struggle on the island of Mindanao. Although a peace agreement between the government and the MNLF was signed in September 1996, it has been rejected by the MILF, MILO, and the ASG. All three organizations have vowed to continue to fight against the government on their own terms.²⁰ Fundamental Muslim grievances that have yet to be met include the following:²¹

- (1.) Dispossession of what are regarded as ancestral and communal land-rights.
- (2.) The weakening of religious, cultural, and political traditions as a result of Christian transmigration from the north.
- (3.) Economic deprivation and a lack of development on Mindanao.
- (4.) The failure to guarantee an automatic right of autonomy for all 14 provinces in the southern Philippines.

Religious divisions based on Islam have exacerbated ethnic divisions and pose a potentially serious long-term threat to stability in Southeast Asia. These religious groups tend to engage in extremely violent acts that only add to destabilization of the entire region. Between 1990 and 1992, the National Liberation Front, *Aceh Sumatra*, a violent offshoot of *Aceh Merdeka*, carried out a brutal mass attack against Javanese civilians who had been resettled in Aceh. This group deliberately dismembered their captives while they were still alive.²² Violence by the Abu Sayyaf Group (ASG) has been just as brutal. The ASG advocates the complete annihilation of all non-Muslims (including women, children, and the elderly) on Mindanao and has carried out numerous atrocities. In one of

²⁰ Peter Chalk, Low Intensity Conflict in Southeast Asia: Piracy, Drug Trafficking and Political Terrorism, (Brisbane: 1998), p.16.

²¹ Ibid., p.16.

²² Peter Chalk, Low Intensity Conflict in Southeast Asia: Piracy, Drug Trafficking and Political Terrorism, (Brisbane: 1998), p.17.

their worst attacks, in April 1995, 200 ASG members indiscriminately massacred 53 Christians living in the Mindanao town of Ipil, wounded another 44, and escaped with 20 hostages who were later used as human shields to cover their retreat.²³ Recent reports from the Philippine military confirm that the ASG is linked with Osama Bin Laden's Al Qeda organization, and that these highly publicized murders of Christians is his way of obtaining additional funding for his war on the West.

Table 2. Terrorism incidents in selected Southeast Asia countries 1990-96²⁴

COUNTRY	TOTAL ATTACKS	ANNUAL AVERAGE INCIDENT RATE
Indonesia	126	18
Thailand	174	25
Cambodia	427	61
Philippines	1094	156

Adding to the potential for Islamic maritime terrorism are reports that radical Southeast Asian Islamic groups have linked into the world of Islamic extremism. Philippine and Western intelligence agencies both confirm that they believe that the ASG (possibly in conjunction with renegade elements of the MILF) have created a logistics network with transnational Islamic groups worldwide, in order to receive arms and financing. The purpose of the network is to transform the Philippines, especially Manila, into a base for terrorist activities directed against Western and U.S. interests in the Asia-Pacific theater.²⁵

Concrete evidence of an international connection between Muslim extremists in the

²³ Ibid., p.17.

²⁴ Ibid. p.17.

²⁵ Ibid. p.18.

Philippines and other organizations first began to emerge in January 1995, following the raid on an apartment rented to Ramzi Ahmed Yousef, a *freelance* terrorist with links to the radical Egyptian group *Gama'a el Islamiya*, and the alleged mastermind of the 1993 World Trade Center bombing. Materials seized from the one-bedroom apartment revealed details of a sophisticated plan to carryout a series of high profile international operations during 1995, in conjunction with the *ASG*, as part of the overall objective of turning the democratic nation of the Philippines into a major center for international terrorism. Attack plans were to have included the following operations:²⁶

- (1.) The assassination of the Pope during his visit to Manila in 1995.
- (2.) The synchronized bombings of the U.S. and Israeli embassies in the Philippines and other Asian capitals, most notably Bangkok.
- (3.) The mid-air destruction of two United Air Lines 747 jumbo jets over Hong Kong's Kai Tak airport by exploding nitroglycerine bombs hidden in the upper-deck washrooms of each plane. The scheme was *tested* by bombing a Philippines Airlines jet on route to Tokyo, in December 1994, killing one and injuring 10.
- (4.) Suicide assaults on the headquarters of both the Federal Bureau of Investigation (FBI) in Manhattan, and the U.S. Central Intelligence Agency (CIA) in Langley, Virginia.

Luckily, the raid on Yousef's apartment aborted his planned terrorist attacks. However, intelligence reports suggest that the *ASG* has networked itself into the growing worldwide Islamic fundamentalist movement. The *ASG* now has established links with the following terrorist organizations whose members have been directly linked with attacks on maritime shipping listed below:

²⁶ Peter Chalk, Low Intensity Conflict in Southeast Asia: Piracy, Drug Trafficking and Political Terrorism, (Brisbane: 1998), p.18..

- (1.) The Abu Nidal Organization in Syria
- (2.) Hizbollah in Lebanon
- (3.) Hamas in Gaza and the West Bank.
- (4.) Gama'a el-Islamiya in Egypt
- (5.) The Islamic Salvation Front (FIS) in Algeria.²⁷

Table 3. Comparison of the Types of Attacks reported During 1991-1997²⁸

Category	1997	1996	1995	1994	1993	1992	1991
Attempted Boarding	14	36	27	22	33	18	4
Vessel Boarded	163	175	127	49	28	80	101
Hijack	14	5	12	5	UNK	1	1
Robbery/ Theft in Port	2	5	2	5	8	UNK	UNK
Vessel Fired Upon	26	6	9	UNK	16	6	UNK
Detained	7	UNK	11	6	8	UNK	UNK
Others	3	1	UNK	3	10	1	1
Total	229	228	188	90	103	106	107

Table 4. Types of Attacks by Maritime Region in 1997²⁹

Maritime Region	Hijacks	Other Types	Economic Costs
Southeast Asia	7	84	\$36,050,000
Far East	0	19	\$ 237,500
Indian Subcontinent and Persian Gulf	2	32	\$10,400,000
Americas	0	34	\$ 425,000
Africa	3	38	\$15,475,000
Other Locations	3	7	\$15,087,500
Total	15	214	\$77,675,000

²⁷ Ibid.p.18.

²⁸ International Maritime Bureau, Piracy and Armed Robbery Against Ships, March and July 1998.

²⁹ International Maritime Bureau, Piracy and Armed Robbery Against Ships, March and July 1998.

VIII. FACTORS THAT INCREASE THE LIKELIHOOD FOR FUTURE TERRORISM IN SOUTHEAST ASIA

It is likely that Southeast Asia will see increasing terrorist activity in the coming years, and with it the likelihood of some type of maritime terrorist activity. This assessment is based upon six elements presently at work in Southeast Asia. These elements are the following:³⁰

- (1.) The growing influence of former Islamic Afghan War *Mujahadeen* fighters, Osama Bin Laden's Al-Qa'ida organization, and other radical Islamic terrorist groups offering their services to, and financing, radical Southeast Asian Islamic groups.
- (2.) The proliferation of organic and advanced weaponry throughout Southeast Asia as legacy items from the Vietnam, Cambodia, and Afghan Wars.
- (3.) Increased urbanization and industrialization throughout Southeast Asia, allowing for the greater networking of Islamic terrorist organizations.
- (4.) Increased public apathy to political violence and a general malaise developed from a constant exposure to violent death and destruction.
- (5.) The tendency of Southeast Asian governments and elites to crack down harshly on any form of legitimate public protest with draconian internal security countermeasures.

The likelihood of future terrorist activity in Southeast Asia is increasing, fueled by the elements listed above. The following are few historical examples of *accidental* maritime disasters, and their impact on the surrounding cities, towns, and environment.³¹

- 1.) The destruction of the Port Chicago, California and Earle, New Jersey Naval Ammunition Depots during and after W.W.II. when ammunition was detonated pier side accidentally, killing hundreds of servicemen.

³⁰Peter Chalk, Low Intensity Conflict in Southeast Asia: Piracy, Drug Trafficking and Political Terrorism (Brisbane: 1998), p.19.

³¹Jack A. Gottschalk, Brian P. Flanagan, Jolly Roger with an Uzi. The Rise and Threat of Modern Piracy, (Annapolis: Naval Institute Press, 2000). P.110.

- 2.) The destruction of 3,000 homes in the city of Halifax, Nova Scotia on 6 December 1917, when two freighters collided in the harbor. The *Mont Blanc* was carrying dynamite, benzene, and picric acid when it detonated on impact with the freighter Imo, carrying Red Cross supplies. The resulting explosion left 4,000 dead and 8,000 injured.
- 3.) The Texas City disaster of 16 April 1947, when the French freighter, the *Grandcamp*, while taking on a cargo of ammonium nitrate, caught fire and exploded, detonating the ship alongside it that was already loaded with ammonium nitrate. When the second ship exploded it detonated the huge Monsanto chemical plant, which in turn, ignited the huge chemical works, oil refineries, and sulfur warehouses. When the dust settled, their town was flattened with 1,200 dead and 15,000 injured.
- 4.) The *Exxon Valdez* supertanker ran aground in Prince William Sound, off Alaska's coast on 24 March 1989, resulting in an eleven million gallon oil spill. Oil still floated ashore as late as 1993. Eighteen-hundred miles of shoreline were contaminated; one-half million birds and approximately five thousand sea otters were killed. The likelihood of permanent ecological damage is .great.

IX. AL-QA'IDA, ABU SAYYAF, AND THE GROWING ISLAMIC FUNDAMENTALIST PIRACY THREAT IN SOUTHEAST ASIAN WATERS

Southeast Asia maritime piracy has been nearly a constant threat to shipping in this region, since ships first began transiting this region over a thousand years ago. Southeast Asia has had a violent history when compared to the rest of the world. Since 111 B.C. there have been no less than 226 wars fought in, around, and between the littoral nations of China, the Philippines, Burma, Indonesia, Malaysia, Cambodia, and Thailand³² When fighting these wars, attacking and seizing the opponents shipping was a key component of achieving victory. In much the same way, the growing global Islamic Fundamentalist movement networked into factions within this region may use this strategy to attack and seize U.S. and allied shipping, vital to the health of the U.S. and Global economy.

The Philippines

There are approximately 3 million Muslims in the Philippines, the only majority Christian nation in Southeast Asia. The majority of these Muslims are concentrated in the southern regions of the country and are unique in that not only are they Muslim in a nation dominated by Catholics, but that they somehow managed to evade the influence of the Catholic Church which ruled the island for over three hundred years.³³

Cotabato is the Islamic region of the Southern Philippines and is home to the second largest Muslim group speaking a common language (ethnolinguistic), the Magindanaon. The modern Muslim separatist movement began in the 1960s fueled by Muslim students and intellectuals. The movement grew violent in the Cotabato region in 1970, and

³² George Childs Kohn, Dictionary of Wars, (New York: Checkmark Books, 1999). p. 562-594.

³³ Thomas M. McKenna, Muslim Rulers and Rebels. Everyday Politics and Armed Separatism in the Southern Philippines, (Los Angeles: University of California Press, 1998), p.2.

transformed into an armed secessionist movement after Philippine President Marcos declared martial law in 1972.³⁴ As many as thirty-thousand Muslim separatists fought the government to a stalemate over a five-year period resulting in a peace treaty and ceasefire in 1977. A key element of this peace treaty was the establishment of a Muslim autonomous region in the southern Philippines, but President Marcos reneged on his promise and fighting resumed. Despite the renewed fighting, the intensity of the fighting was not nearly as high as the fighting that had taken place before the ceasefire. Fighting continued into the 1980s, but during this decade the Muslim separatist movement transformed itself from one dominated by radical students, to that of a broad-based moderate Islamic movement dominated by Islamic clerics.

The Iranun

The Islamic pirates of the Philippines are known as the *Iranun*, and have a history of attacking shipping off the southern waters of the Philippines for over 150 years. They have a population of approximately 150,000 and most live along the eastern shore of Ilana Bay just east of the Moro Gulf in Southern Mindanao. Through piracy, the people gather slaves, goods, and ships to increase their wealth and reputation.³⁵ The *Iranun* historically attacked merchant shipping from the Celebes in the south, to Luzon in the north, and as far away as the Straits of Malacca. Today, most *Iranuns* are believed to be involved in legitimate seafaring businesses. However, their long history of piracy is well known and well deserved.

³⁴ Ibid., p.3.

³⁵ Ibid. p.31.

Abu Sayyaf

In the mid-80s within Pakistan, there were approximately 170 different armed extremist foreign groups fighting the Soviets in Afghanistan. Pakistan outlawed all but six Islamic groups. These six Islamic groups were given vast quantities of weapons, cash, and food from the CIA and Arab benefactors, including Osama bin Laden. These six groups formed an alliance to fight the Soviets, and the leader of this alliance was an Afghan professor named Abdul Rasul Sayyaf (*sayyaf* in Arabic can mean sword). Abu Sayyaf is a native of Paghman, Cabal province in Afghanistan. He was educated at Cairo's prestigious al-Azhar Islamic University. In 1975 he was arrested while attempting to board a plane bound for the U.S., where he had intended to study law at George Washington University. While in prison, he avoided being murdered by the communists by being a blood relative of Hafizullah Amin, the Afghan incumbent prime minister. In the late 1980s, Abdul Sayyaf moved his operations to the Philippines and formed a seventh Islamic military group under his own name, the Abu Sayyaf group ("father of the sword").³⁶ This new seventh group has spread death and violence in the Philippines and is being bankrolled by friends of the professor in Kuwait and Saudi Arabia, including Osama bin Laden.

With this new funding, the Abu Sayyaf Group began carrying out kidnappings and bombings against Christian and government targets in the southern Philippines, primarily on the island of Mindanao. Carrying out these attacks were veteran Afghan mujahadeen fighters being coordinated by the world's most wanted terrorist, 27-year-old Ramzi

³⁶ John K. Cooley, Unholy Wars. Afghanistan, America and International Terrorism (Sterling: Pluto Press, 2000), p.232.

Ahmed Yousef.

Yousef was the mastermind behind the World Trade Center bombing of February 1993, the conspiracy to bomb the UN, FBI headquarters, New York tunnels and bridges in June 1993, attempted murder of Pakistan's Prime Minister Bhutto, the bombing and attempted downing of a Philippines Airliner on December 11, 1994, the attempted destruction of 11 American Airliners in mid-flight across the Pacific Ocean, and the attempted assassination of Pope John Paul II during his visit to the Philippines. Yousef was finally captured in Pakistan, while staying at a safehouse belonging to Osama bin Laden on February 7, 1995, thanks to a tip provided by a South African Muslim informer named Mustaq Parker, who quickly received his two-million dollar reward and a new identity in the U.S.³⁷

Despite the capture of Yousef, the Abu Sayyaf Group continues to behead Christians in Mindanao, and has threatened the beheading of captured tourists if they do not win the release of Yousef and the blind Egyptian sheikh, Omar Abdel Rahman, another terrorist jailed for his involvement in the 1993 World Trade Center bombings.

On April 2, 2000, Osama bin Laden's responsibility for beheadings being conducted in Mindanao was announced by the Philippine military southern command's chief of staff, Colonel Ernesto de Guzman. De Guzman announced that a former Abu Sayyaf senior leader, Basir Hajem, reported to him that Abu Sayyef had received financial support from Osama bin Laden, and that the murders of Christians and other atrocities were meant to gain more international media mileage and financial contributions from sympathizers in

³⁷ Ibid. p.236.

the Arab world.³⁸

Indonesia

The BBC reported in April 2000 that up to 10,000 Islamic militants being led by veteran Afghan-trained men were tipping the balance of power in the fight between the evenly balanced numbers of Christians and Muslims in the Indonesian Moloccan Islands, especially on the island of Ambon. The weapons of choice for these Islamic militants were swords and the machetes.³⁹

Ramzi Ahmed Yousef's Declaration of War

On his flight back to the United States from Pakistan in 1995, Ramzi Ahmed Yousef boasted that he had narrowly missed several opportunities to bomb all 12 American airliners on a single day over the Pacific; to order a kamikaze-type airline attack on CIA headquarters in Langley, Virginia, and to assassinate President Bill Clinton during a trip to the Philippines. His plans would be carried out by the same Afghan war veterans we had trained and financed to fight against the Soviets.⁴⁰ On September 11, these Afghan-trained veterans attacked America and killed thousands.

³⁸ Ibid., p.240.

³⁹ Ibid., p.240.

⁴⁰ Ibid.,p.247.

X. STATE-OF-THE-ART CAMOUFLAGE AND THE BARRACUDA CORPORATION

A key ingredient to any pirate or terrorist attack is to have the element of surprise. Historically, in the Straits of Malacca, and other restricted waters within Southeast Asia, the terrain has always favored the attacker. The advent of radar and other sensor technology had in recent years, helped alleviate some of the surprise element, but the advantage in these waters was still with the attacker awaiting a favorable target of opportunity. More recently, pirates and terrorists are gaining an even greater advantage through the purchase of state-of-the-art naval camouflage netting and other technologies available on the open market. The producer of the best camouflage in the world is the Barracuda Corporation of Sweden, and unfortunately, it is available on the open market.

The Barracuda Corporation of Sweden, a subsidiary of Saab, is regarded by many in the defense industry, as the preeminent manufacturer of camouflage netting and naval camouflage. Headquartered in Laholm, Sweden, but with manufacturing plants in Australia, Canada, France, Germany, and India, the Barracuda Corporation has developed camouflage netting to shield all aspects of a ship's signature: electromagnetic, radar (RCS), infrared (IR) – both near and thermal (NIR and TIR). The company has also developed technology to hide a ship's acoustic, magnetic, and water pressure signature, as well as its wake. This is all in addition to camouflage netting to hide a vessel from the naked eye, also called the visual spectrum. Barracuda technology has enabled a vessel to be practically invisible at ranges over 10 nautical miles even when sophisticated sensors are scanning for the vessel. Terrorists and pirates are exploiting this technology because

they have the funds and the need to employ state-of-the-art technology.⁴¹

Pirate and terrorist vessels are most vulnerable when moored or in a stationary position. Terrain masking features can help in reducing this vulnerability, but having the ability to employ stealth and camouflage technology, greatly enhances survivability and gaining the element of surprise. Additionally, as a side benefit, having this technology is a great morale boost for the crew of the vessel.

The principles of camouflage, concealment, and deception (CCD) in the maritime environment are shape, surface, shine, silhouette, shadow, spacing, and movement. Even with the best camouflage, when a vessel moves, it usually is observable to the naked eye.

Attempts at developing naval camouflage is as old as the Greek and Roman era, and everything from dazzle camouflage painted on the ship's hull, to highly advanced electro-optical and water mist screens are being researched and developed.

Barracuda's state-of-the-art naval camouflage system is called the High-Mobility on-Board System and is essentially a suite of umbrella-style fittings that can be rapidly be put up or down. A trained crew can disguise a 50m craft in approximately two hours using non-Barracuda nets and poles. The Barracuda system takes only a few minutes and is custom made for the vessel.⁴²

Barracuda nets are described as Ultra Lightweight Camouflage Screens and have camouflage properties covering the entire visual spectrum, especially against smart

⁴¹ Philip Sen, *More than Meets the Eye*, Jane's Navy International, April 1, 2002 <<http://janes.ic.gov/cgi-bin/texis/bin/se>>.

⁴² Ibid., p.7.

munitions. Each net uses a Heat Transfer Reduction (HTR) system to reduce the heat penetration through the hull and is particularly effective in extremely hot climates. The HTR system effectively reduces the heat absorption of the vessel by 50 per cent.⁴³

As one can see, this new Barracuda technology gives terrorists and pirates a distinct advantage when preying on merchant commerce. This technology combined with the knowledge and experience of the operating in these waters for hundreds of years, is an important factor in driving both criminal and terrorist elements to attack naval vice land targets of opportunity.



Figure 2. Naval Camouflage Deployed.⁴⁴

⁴³ Ibid. p.8.

⁴⁴ Ibid. p.10



Figure 3. Naval Gunboat With Camouflage Nets Pre-Positioned.⁴⁵



Figure 4. Patrol Craft with Camouflage Paint Scheme.⁴⁶

⁴⁵ Ibid. p.10.

⁴⁶ Ibid. p.9.

X. CONCLUSION

A region historically linked to piracy, combined with the volatility of Islamic fundamentalism, can only result in the seizure of American and Allied shipping in the region. Abu Sayyef is firmly embedded in the Southern Philippine island of Mindanao, and unlike Afghanistan, have jungles and a sympathetic population to give them sanctuary.

Corruption and a flourishing drug trade in the region can provide the financing the Abu Sayyef need to purchase attack craft, camouflage, arms, and logistical sustainment. In addition, the Abu Sayyef Group has over 50,000 Iranun Muslims with a proud heritage of piracy to train them and augment future attacks against shipping in the region.

Finally, the geography of the region favors asymmetric warfare. The Phillip's Channel in the Malacca Straits narrows to 1500 meters at its narrowest point. During the rainy season, ships passing through this channel typically slow to 5-7 knots due to decreased visibility. It is during this time ships transiting the straits are most vulnerable, and it is during this time that a ship will likely be seized. Once seized, the vessel could continue to its destination, a crowded U.S. port facility like San Diego or Norfolk. When it arrives, the terrorists could detonate the ship, destroying the port and flattening the port city.

In order to prevent this tragedy from occurring, the United States needs to ensure the safety of shipping at the world's choke points, especially in and around the Philippines and Indonesia. On September 11, several thousand Americans died from the seizure of four airliners. On some future date, we are likely to lose control of a ship filled with a highly explosive cargo, or worse, a chemical or biological weapon. Ramsi Yousef was

quoted as saying the following:

...We [have] the ability to make and use chemicals and poisonous gas. And these gases and poisons are made from the simplest ingredients, which are available in the pharmacies; and we could, as well, smuggle them from one country to another as needed. And this is for use against vital institutions and residential populations and drinking water sources and others...⁴⁷

In order to blunt this growing threat, The United States and its Allied partners must increase their military presence in this part of the world, we must take precautions now to provide additional protection to ships transiting the waters in Southeast Asia, and at a minimum, protection while they transit the restricted waters of straits. We know the threat is there, how we respond to this threat will determine our future.

⁴⁷ Eric Croddy, Chemical and Biological Warfare, A Comprehensive survey for the Concerned Citizen, (New York: Copernicus Books, 2002), p.64.

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